IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE ANTONY DOMINIC

MONDAY, THE 29TH OCTOBER 2007 / 7TH KARTHIKA 1929

WP(C).No. 31365 of 2007(H)

PETITIONER:

SIVADASAN O.P., S/O.KORU, AGED 32 YEARS, OTTUPARA HOUSE, VADASSERY, PERAKAMANNA, MALAPPURAM DISTRICT.

BY ADV. SRI.BABU S. NAIR

RESPONDENTS:

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1. THE EDAVANNA GRAMA PANCHAYATH, REPRESENTED BY ITS SECRETARY, EDAVANNA, MALAPPURAM DISTRICT.

2. THE DISTRICT COLLECTOR, MALAPPURAM.

3. THE TAHSILDAR, ERNAD TALUK, MALAPPURAM DISTRICT.

4. THE SUB INSPECTOR OF POLICE, EDAVANNA POLICE STATION, MALAPPURAM DISTRICT.

BY GOVT. PLEADER SRI. M.R.SABU

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 29/10/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

ANTONY DOMINIC, J.

W.P.(C). NO. 31365 OF 2007

Dated this the 29th day of October, 2007

J U D G M E N T

The case of the petitioner is that a Mini Lorry bearing Reg. No.KL-11F 615 belonging to him was seized by the 3rd respondent on 28.6.07 on the allegation that the vehicle was involved in unauthorised transportation of river sand. Petitioner submits that there is inordinate delay in the proceedings against the petitioner and hence he seeks release of the vehicle. He also submits that on seizure of the vehicle by the 3rd respondent, it has been entrusted to the 4th respondent.

2. In view of the statement made by the petitioner as above, if a report on the seizure has been received by the 2nd respondent, the 2nd respondent shall complete the adjudication in terms of Rule 27 of the Rules and pass final orders with notice to the petitioner. Such orders shall be passed within 10 days of receipt of a copy of this judgment. Although a request has been made by the petitioner for an interim custody of the vehicle, in the absence of an order passed by the District Collector, this Court will not be in a position to assess the value of the vehicle. Hence, I am not inclined to pass such an order, the writ petition is disposed of as above.

Petitioner shall produce a certified copy of this judgment before the 2nd respondent for compliance.

ANTONY DOMINIC, JUDGE

vps